IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7345 of 2007()

CRIME NO. 18/06 OF MANNARKAD EXCISE RANGE
CMP.3191/2007 of J.M.F.C., MANNARKAD

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PETITIONER/ACCUSED

JAYAN, S/O GANGADHARAN,
AGED 25 YEARS, MALAYIL HOUSE,
IDUMBAN MALA, ELEMBULASSERI P.O.,
KORIMBUZHA, OTTAPPALAM.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT

EXCISE INSPECTOR, MANNARKAD EXCISE
RANGE, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7345 of 2007

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Dated this the 30th day of November, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 12 litres of arrack and 40 litres of wash as also implements for distillation on 6.9.2006. Investigation is in progress. The petitioner was arrested long later on 15.11.2007 and he continues in custody from that date. The petitioner has no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation, considering the nature and magnitude of the offence committed, and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 10.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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